

BARRY E. HINKLE, Bar No. 071223
PATRICIA A. DAVIS, Bar No. 179074
CONCEPCIÓN E. LOZANO-BATISTA, Bar No. 227227
WEINBERG, ROGER & ROSENFELD
A Professional Corporation
1001 Marina Village Parkway, Suite 200
Alameda, CA 94501-1091
Telephone (510) 337-1001
Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THE BOARD OF TRUSTEES, in their	)	Case No.	10-5204 JL
capacities as Trustees of the LABORERS	)		
HEALTH AND WELFARE TRUST FUND	)		
FOR NORTHERN CALIFORNIA; LABORERS	)		
VACATION-HOLIDAY TRUST FUND FOR	)		
NORTHERN CALIFORNIA; LABORERS	)		
PENSION TRUST FUND FOR NORTHERN	)		
CALIFORNIA; and LABORERS TRAINING	)	REQUEST FOR ENTRY OF	
AND RETRAINING TRUST FUND FOR	)	DEFAULT	
NORTHERN CALIFORNIA,	)		
	)		
Plaintiffs,	)		
	)		
v.	)		
	)		
SILVESTRI CONSTRUCTION, INC., A	)		
California Corporation,	)		
	)		
Defendant.	)		

TO: THE CLERK OF THE COURT:

Request is hereby made that the default of Defendant, SILVESTRI CONSTRUCTION, INC., A California Corporation, be entered. Defendant has failed to appear or otherwise respond to the Complaint that was served on them. The Complaint was served on Defendant on November 29, 2010, for which proofs of service were filed before this Court with the Summons on December

1 14, 2010.

2 The above stated facts are set forth in the accompanying declaration of Conchita E.
3 Lozano-Batista, filed herewith.

4 Dated: December 28, 2010

5 WEINBERG, ROGER & ROSENFELD
6 A Professional Corporation

7
8 By: /s/ Conchita E. Lozano-Batista
9 CONCEPCIÓN E. LOZANO-BATISTA

10 125640/601656
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PROOF OF SERVICE
(CCP 1013)

I am a citizen of the United States and an employee in the County of Alameda, State of California. I am over the age of eighteen years and not a party to the within action; my business address is 1001 Marina Village Parkway, Suite 200, Alameda, California 94501-1091. On December 28, 2010, I served upon the following parties in this action:

Bret Silvestri, CEO
Silvestri Construction, Inc.
211 Garden Road, Suite B 10
Monterey, CA 93940-5316

Bret Silvestri
1208 Sylvan Road
Monterey, CA 93940

copies of the document(s) described as:

REQUEST FOR ENTRY OF DEFAULT

- ☒ **BY MAIL** I placed a true copy of each document listed herein in a sealed envelope, addressed as indicated herein, and caused each such envelope, with postage thereon fully prepaid, to be placed in the United States mail at Alameda, California. I am readily familiar with the practice of Weinberg, Roger & Rosenfeld for collection and processing of correspondence for mailing, said practice being that in the ordinary course of business, mail is deposited in the United States Postal Service the same day as it is placed for collection.
- ☐ **BY PERSONAL SERVICE** I placed a true copy of each document listed herein in a sealed envelope, addressed as indicated herein, and caused the same to be delivered by hand to the offices of each addressee.
- ☐ **BY OVERNIGHT DELIVERY SERVICE** I placed a true copy of each document listed herein in a sealed envelope, addressed as indicated herein, and placed the same for collection by Overnight Delivery Service by following the ordinary business practices of Weinberg, Roger & Rosenfeld, Alameda, California. I am readily familiar with the practice of Weinberg, Roger & Rosenfeld for collection and processing of Overnight Delivery Service correspondence, said practice being that in the ordinary course of business, Overnight Delivery Service correspondence is deposited at the Overnight Delivery Service offices for next day delivery the same day as Overnight Delivery Service correspondence is placed for collection.
- ☐ **BY FACSIMILE** I caused to be transmitted each document listed herein via the fax number(s) listed above or on the attached service list.

I certify under penalty of perjury that the above is true and correct. Executed at Alameda, California, on December 28, 2010.

/s/ Stephanie Mizuhara
Stephanie Mizuhara